

**CONFIDENTIAL LAW ENFORCEMENT
COMMUNICATION**

**APPLICATION FOR DISTRIBUTION FROM PRIVACY AND PIRACY FUND
ADMINISTERED BY THE CALIFORNIA ATTORNEY GENERAL'S OFFICE
YEAR 2007-2008 CYCLE**

I. NAME OF APPLICANT(s): JOINT APPLICANT (if applicable):

_____	_____
_____	_____
Address: _____	_____
_____	_____
_____	_____
Phone Number: _____	_____
Fax Number: _____	_____
E-mail (if available): _____	_____
Contact Person(s): _____	_____
_____	_____

II. STATUS OF APPLICANT (check and provide information as appropriate)

- A.** Is Applicant an "Authorized Prosecutor" Within the Meaning of Section 17206?
Yes _____ No _____

If no, the Applicant is not eligible to receive disbursements from the Privacy and Piracy Fund.

If yes, describe the governmental entity's function and responsibilities.

Identify the Program Manager who will oversee the proposed project and who will be the contact person for purposes of the disbursement application. Attach a resume and contact information for the Program Manager.

III. APPLICANT'S PROPOSAL

In a separate document, describe the proposal for which Applicant seeks a disbursement. Please include:

- A.** The perceived need for the program and how Applicant identified such need.
- B.** The anticipated public benefit to be served by the disbursement, and how the benefit would be achieved. Please explain how the proposed project and any materials developed through disbursement funds may produce benefits extending

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beyond the specific project for which the disbursement is sought, if there will be such benefits.

- C. Where the application concerns an investigation and/or potential litigation, a description of the potential investigation and/or litigation.
- D. A description of all equipment and of all materials, including brochures, pamphlets, and audio, video, and electronic materials, that will be prepared, developed, used, purchased, or rented with disbursement funds in connection with the proposed project. If possible, drafts, detailed descriptions, or copies of content to be used in the Applicant's project should be submitted to provide as much specificity as possible.
- E. Of the materials set forth in response to paragraph D, a description of how those materials may have use or application outside of the proposed project.
- F. A *detailed itemization* of all costs and expenses related to the proposed project that are expected to be paid from the disbursement. (If applicable, include a description of how other elements such as volunteer labor or collaboration with other agencies will be integrated into the project.)
- G. A detailed description of goods and services, such as personnel, travel and transportation, and materials to be used in connection with the proposed project that are funded from sources other disbursements from the Fund.
- H. The name, address, and telephone number of each provider of funds (other than the Privacy and Piracy Fund) expected to be used in connection with the proposed project.
- I. A statement of whether the Applicant intends to continue with the proposed project after the end of the initial disbursement term and, if so, the Applicant's expected source of funding for continuing the project.
- J. A description of how the proposed project relates to the Applicant's other projects in the program area, *e.g.*, whether the proposed project supplements or duplicates other programs.
- K. A description of how the Applicant:
 - 1) will ensure that distribution by the Committee will be used solely for purposes proposed in the application; and

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2) intends to report to the Committee concerning the results of the project, including a discussion of how the Applicant intends to measure the success of the project. Appropriate non-staffing costs for such measurement may be included in the monies sought by the application.

- L. If the application is for continuation of a project approved during a previous Disbursement Cycle, a description of the steps taken by Applicant to determine the efficacy of the program during the prior Disbursement Cycle.

**IV. REPRESENTATIONS BY APPLICANT REGARDING ACCEPTANCE OF
CONDITIONS FOR DISBURSEMENT**

- A. The undersigned is the responsible person for this application, has been duly authorized by the Applicant to act as its agent in connection with this application, and hereby certifies that the information in this application, including attached documents, is true. The undersigned has read the Judgment governing the Privacy and Piracy Fund and understands its terms. The undersigned further represents that the funding requested will not be used to pay for current staff of the Applicant applying for this project, and that the existing budget of Applicant will not be reduced should the application be approved. If a project is accepted, the undersigned further represents that he/she will sign a form(s) that acknowledges that the Applicant's project has been selected for receipt of disbursement, and that the Applicant will comply with the terms and conditions of the disbursement.
- B. The Applicant will comply with each and every order of the Court in connection with the Privacy and Piracy Fund and the disbursement received.
- C. The Applicant will vigilantly safeguard the monies disbursed hereunder and maintain financial controls sufficient to protect such monies and ensure that the use of monies fully comports with the recipient's application for the disbursement, and will provide detailed written description of such financial controls upon request by the Committee.
- D. The undersigned represents that his/her office is authorized to accept disbursement funds under applicable state and local laws and that the budget of the office will not be reduced by the receipt of disbursement funds. Disbursement funds shall be used to augment but not supplant the budget of the disbursement recipient's office/unit.
- E. The funds, except as otherwise expressly agreed by the Committee in writing, will

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only be used for the purposes described in this application, as approved or modified by the Committee.

- F. If the project is for the purpose of investigation or litigation, any civil settlement the Applicant enters will provide for full reimbursement of the amount of the disbursement to the Privacy and Piracy Fund. The Fund shall be reimbursed before any settlement funds are used for any other purpose.
- G. In the event the Applicant is the prevailing party after trial, the Applicant will use its best efforts to reimburse the Privacy and Piracy Fund in full from any monetary recovery ordered by trial and appellate courts and paid by the defendant(s).
- H. The Applicant will notify the Committee in writing of litigation results, including any settlement, judgment or other resolution, within 30 days of such settlement, judgment or other resolution.
- I. The Applicant will submit a self-evaluation report within six months after receipt of disbursement funds, and a final report to the Committee within 60 days of completing the project for which a one-year disbursement was awarded. Applicants for a multi-year project will, in addition to submitting the six-month report after receipt of disbursement funds, also submit an annual progress report (at, i.e., 12, 24 and 36 months after receipt of disbursement funds) in each year of a multi-year project and a final report to the Committee within 60 days of completing the project for which a multi-year disbursement was awarded. These reports shall specify how disbursement funds were used, as well as a description of the progress and/or outcome of the project for which the disbursements were awarded. All reports submitted to the Committee pursuant to the reporting requirements of these instructions shall be treated by the Attorney General's Office as confidential law enforcement communications.
- J. All correspondence with the Committee shall be directed to Senior Assistant Attorney General Albert Norman Shelden, Office of the California Attorney General, 110 West A Street, Suite 1100, San Diego, CA 92101, phone: (619) 645-2089, fax: (619) 645-2062, e-mail: Albert.Shelden@doj.ca.gov.
- K. The Applicant will notify the Committee in writing of the status of all outstanding litigation or investigations related to this project six months after the funds are disbursed to the recipient and then every 12 months on the anniversary date of the disbursement.

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- L. The Applicant will cooperate with the Committee and its agents in providing all information and documents concerning the use of disbursement funds as the Committee reasonably requests and will maintain sufficient records for auditing purposes to substantiate any expenditure. In the event of a multi-agency project, the initial Applicant shall be solely responsible for complying with this paragraph, except as otherwise expressly agreed by the Committee in writing.
- M. The Applicant will comply with all additional requirements the Committee imposes.
- N. Approval of this application does not constitute Committee or California Attorney General endorsement of this project.
- O. Except as otherwise expressly agreed by the Committee in writing, within 60 days after the conclusion of the investigation, litigation, or training for which the disbursement was requested, the Applicant will return unused or excess funds to the Committee by check made payable to the California Attorney General's Office, with the notation "Privacy and Piracy Fund Reimbursement."
- P. If the project is for the purchase of non-case specific goods or services, the Applicant will return any excess or unused funds to the Committee within 60 days after purchase of such goods or services by check made payable to the California Attorney General's Office, with the notation "Privacy and Piracy Fund Reimbursement."

Signed: _____
Title: _____

Return Four Copies of Applications and attachments to:
Privacy and Piracy Fund Committee
Attention: Albert Norman Sheldon, Senior Assistant Attorney General
Office of the California Attorney General
110 West A Street, Suite 1100
San Diego, CA 92101

For additional information, please contact:

Privacy and Piracy Fund Committee
Attention: Albert Norman Sheldon, Senior Assistant Attorney General
Office of the California Attorney General

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